

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

THE TENNESSEE WALKING HORSE
NATIONAL CELEBRATION
ASSOCIATION; KIMBERLY LEWIS; and
TOM GOULD,

Plaintiffs,

v.

U.S. DEPARTMENT OF AGRICULTURE;
THOMAS VILSACK, in his official capacity
as Secretary of Agriculture; ANIMAL AND
PLANT HEALTH INSPECTION SERVICE;
MICHAEL WATSON, in his official capacity
as Administrator of the Animal and Plant
Health Inspection Service,

Defendants.

Civil Action No.: 2:24-cv-143

District Judge Matthew J. Kacsmaryk

JOINT REQUEST FOR ENTRY OF A SCHEDULING ORDER

The Parties jointly request entry of a schedule pursuant to Fed. R. Civ. P. 16(b). As previously explained, *see* ECF No. 11, the Parties have agreed that this case can be resolved through cross-dispositive motions on an administrative record. Given that the proposed rule being challenged takes effect on February 1, 2025, and the desire of all parties to provide this Court with the opportunity to resolve the case prior to the rule taking effect, the parties have conferred and propose the following schedule to the Court:

Date	Action
September 27	Defendants produce the administrative record to Plaintiffs and file a certified index of the administrative record
October 18	Plaintiffs file their Motion for Summary Judgment
November 12	Defendants file, as a single brief, their combined Opposition and Cross-Motion for Summary Judgment
December 6	Plaintiffs file, as a single brief, their combined Opposition and Reply
December 20	Defendants file their Reply
December 20	Parties file a Joint Appendix containing the portions of the administrative record cited in the summary judgment briefing
Week of January 6 or 13	Hearing on the summary judgment briefing, subject to the Court's preference and availability
30 days after decision on cross- motions for summary judgment	Defendants' Answer to Amended Complaint due (if applicable). <i>See</i> Order, ECF No. 12.

In addition, Plaintiffs will be filing an amended complaint by consent. All parties agree that the filing of the amended complaint will not impact the proposed schedule set forth above.

CONCLUSION

The parties jointly request entry of their proposed schedule.

September 20, 2024

/s/ Cristen Handley

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Respectfully submitted.

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**Admitted pro hac vice*

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CERTIFICATE OF SERVICE

I certify that on September 20, 2024, the undersigned counsel used the CM/ECF system to file this motion with the Clerk of the Court for the United States District Court for the Northern District of Texas. The attorneys in the case are registered CM/ECF users, and service will be accomplished by the CM/ECF system.

/s/ Patrick F. Philbin
Patrick F. Philbin